

**Notice of Allowability**

Application No.

10/710,721

Examiner

Michael P. Nghiem

Applicant(s)

BRADY ET AL.

Art Unit

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Communication filed on 31 August 2005.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 7-29-04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

***Election/Restrictions***

This application is in condition for allowance except for the presence of claims 19 to 20 non-elected without traverse. Accordingly, claims 19 and 20 have been cancelled.

***Examiner's Amendment***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

This examiner's amendment is entered in view of the authorization given by Mr. William Keyworth during a telephone interview on May 10, 2004 regarding parent application 10/098,672, now abandoned. This examiner's amendment also corrects a few minor typographical errors in the specification.

The application has been amended as follows:

In the specification:

Paragraph 0037, line 1, replace "Tap5" with – Tap --.

Paragraph 0043, line 1, after "Circuit", delete "66Data Port".

Paragraph 0043, line 2, insert – 66 Data Port --.

Art Unit: 2863

Replace Claim 1 with the following:

-- 1. A method of regulating landfill gas well production flow rate comprising:

a. installing a constant flow control wellhead assembly gas path in a section of piping between each well, or grouping of wells with a single extraction pipe, and ~~[[the]]~~ a well extraction vacuum source,

b. opening a differential pressure-regulating valve in the wellhead assembly gas path to a nominal position,

c. opening a manual valve in the same wellhead assembly gas path partially,

d. measuring the differential pressure across the differential pressure-regulating valve,

e. adjusting the manual valve position to set the desired differential pressure across the differential pressure-regulating valve,

f. measuring the differential pressure equivalent to the entire flow through the wellhead assembly gas path,

g. adjusting the differential pressure-regulating valve, as needed, to maintain the desired differential pressure equivalent to the entire flow through the wellhead assembly gas path,

h. measuring the gas composition at the wellhead assembly gas path on a periodic basis,

i. re-adjusting the differential pressure-regulating valve position periodically, if needed, using the result of the gas composition measurement to determine the desired direction of adjustment,

Art Unit: 2863

j. measuring the adjusted differential pressure across the differential pressure-regulating valve,

k. adjusting the position of the manual valve to obtain the desired differential pressure across the differential pressure-regulating valve,

l. measuring the adjusted differential pressure across the complete wellhead assembly gas path, and

m. adjusting the regulating valve, as needed, to maintain the desired differential pressure across the complete wellhead assembly gas path. --

Replace Claim 3 with the following:

-- 3. A landfill gas well extraction control system comprising:

a. means for opening a differential pressure regulating valve in a complete wellhead assembly gas path to a nominal position,

b. means for opening a second valve in the gas path,

c. means for measuring the differential pressure across the differential pressure regulating valve,

d. means for setting the second valve position to obtain the desired differential pressure across the differential pressure-regulating valve,

e. means for measuring the differential pressure equivalent to the entire flow through the wellhead assembly gas path,

f. means for maintaining the desired complete wellhead assembly gas path differential pressure at a constant value,

Art Unit: 2863

g. means for obtaining a sample for measuring the gas composition on a periodic basis, and

h. means for adjusting, if needed, the differential pressure equivalent to the entire flow through complete wellhead assembly gas path. --

### ***Reasons For Allowance***

The combination as claimed wherein a landfill gas well extraction control system and method comprising adjusting the differential pressure-regulating valve to maintain the desired differential pressure equivalent to the entire flow through the wellhead assembly gas path (claims 1, 3) or providing display capability of the differential pressure between the pressure taps equivalent to the entire flow through the wellhead assembly, and display capability of the differential pressure between the pressure taps equivalent to the differential pressure across the differential pressure-regulating valve (claims 4, 10) is not disclosed, suggested, or made obvious by the prior art of record.

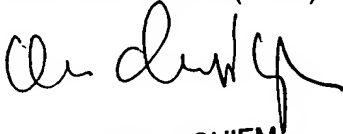
Brookshire et al. (US 6,169,962) discloses a system and for controlling gas flow from landfills (Figs. 1, 2) comprising a differential pressure regulating valve (SV2). However, measuring the pressure across the differential pressure-regulating valve (via PT1) does not result in the differential pressure across the complete wellhead assembly (44).

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P Nghiem whose telephone number is (571) 272-2277. The examiner can normally be reached on M-H.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**MICHAEL NGHIEM  
PRIMARY EXAMINER**

Michael Nghiem

September 06, 2005